



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/522,931	01/24/2005	Alfred Losch	71657	6637
23872	7590	07/28/2006	EXAMINER	
MCGLEW & TUTTLE, PC P.O. BOX 9227 SCARBOROUGH STATION SCARBOROUGH, NY 10510-9227			AMIRI, NAHID	
			ART UNIT	PAPER NUMBER
			3679	

DATE MAILED: 07/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/522,931	LOSCH, ALFRED	
	Examiner Nahid Amiri	Art Unit 3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 24 January 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-18 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 24 January 2005 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 24 January 2005.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, **the clamping strips made of plastic, claim 3, line 2**; and must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

The drawings are objected to because numerous cross-sectioned elements not shown with any cross-hatching, e.g. see Figs. 6-8. Also, the solid black line illustrate of skin are not proper.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

At the outset, it is noted that the preliminary amendment filed January 24, 2005 does not comply with 37 CFR 1.121 because all changes have not been properly shown. For example, note that original claim 1, line 1, recited “said door”, while amended claim 1, line 2, now recites “a door”. All future claim amendment submissions must fully comply with 37 CFR 1.121.

Claim 1, lines 5-6, "each other said strips" does not read properly.

Claim 5, line 4, "connection" should be --connections--.

Claims 6, line 3, "a screw connection" should be changed to --said screw connections--.

Claim 8, line 3, "a outer" should be changed to --an outer--.

Claim 13, line 2, "metal cores" should be changed to --a metal core--.

Claim 14, line 3, "together" should be changed to --together--.

Claim 15, line 3, "a screw" should be changed to --said screw--; and "a clipping" should be changed to --said clipping--.

Claim 10, line 8, "by means of said" appears to be incomplete.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1, line 1, recites the limitation "the edges". There is insufficient antecedent basis for this limitation in the claim. Same applies to claim 5, line 2; claim 6, line 3; and claim 9, line 3. Further, the "preferably" recitation of lines 1-2 is improper because it is unclear whether or not these recitations are being required. Further still, the recitation at line 4 is misdescriptive and/or inaccurate because there is no support for a connection of more than one of strips, straps and flanges at any one time. Finally, the "and/or" recitation at line 6 renders the claim indefinite because it is not clear whether "inwardly" is being required.

Claim 4, line 2 recites the limitation "said metal cores". There is insufficient antecedent basis for this limitation in the claim.

Claim 6, line 2 recites the limitation "said joint sealing". There is insufficient antecedent basis for this limitation in the claim.

Claim 8, line 3 recites the limitation "said cover strips". There is insufficient antecedent basis for this limitation in the claim. Same applies to claim 17, line 2. Further, it is unclear what is meant by "designed at the same time" lines 2-3. Further, still, it is unclear what structure is allegedly being set forth and what the timing of 'when' various parts were "designed" has to do with the structure of the finished product or even the actual manufacturing of the various parts. This also applies to claim 17.

Claim 5, lines 3-4, improperly sets forth a combination of elements not supported by the original disclosure and thus is misdescriptive and/or inaccurate. In particular, there is no disclosure of both a screw connection and a clipping device as set forth by the "and/or" terminology. This also applies to claim 15.

The alternative language of claim 9, lines 2-3, encompasses every conceivable alternative and thus fails to further limit the claim from which it depends, i.e., claim 1. This also applies to claim 18.

Claim 10, line 7, recites "said clamping strips". There is insufficient antecedent basis for this limitation in the claim. Further, claim 10 is incomplete in view of the last line of the claim which does not otherwise make sense as presented.

Claims 11-13, 17 and 18, line 1, recite "said clamping strips". There is insufficient antecedent basis for these limitations in the claims.

Claim 14 is vague and indefinite because no clipping device has been previously positively set forth. Note that claim 10 sets forth only one of a screw connection and a clipping device. If claim 14 is now intended to require that the choice be the clipping device, then such should clearly be set forth.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 7-9 are rejected under 35 U.S.C. 102(b) as being anticipated by US

Patent No. 5,085,006 Hayashi et al.

With respect to claim 1, Hayashi et al. disclose a connection (Fig. 3) of outer and inner sheets (11, 12) each sheet (11, 12), having an edge, wherein the edges of the sheets (11, 12) have at least partially planar contact and can be detachably connected with one another, the connection comprising flanges associated with the areas of the edges of said sheets (11, 12) lying on top of each other, wherein the flanges are bent in the same direction and a detachable connection of the sheets (11, 12) by means of a clamping strip (3).

FIG.3

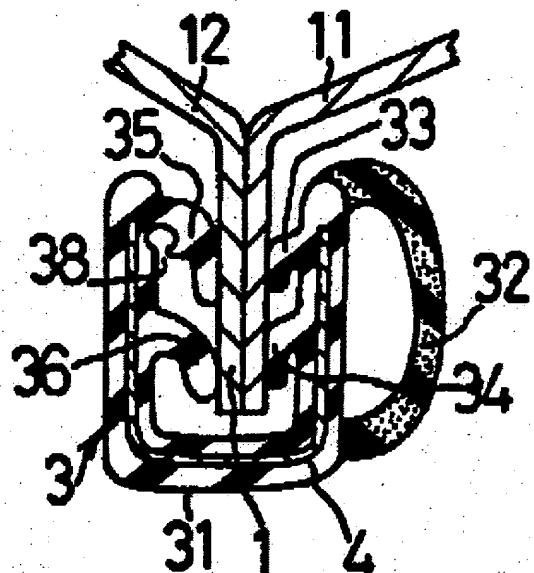
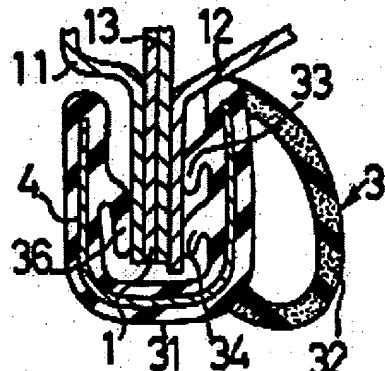


FIG.10



With respect to claim 2, Hayashi et al. disclose (Fig. 3) that the clamping strip (3) has an at least partly U-shaped design.

With respect to claim 3, Hayashi et al. disclose (Fig. 3, column 3, lines 8-12) that the clamping strip consists of a plastic.

With respect to claim 4, Hayashi et al. disclose (Fig. 10) that the clamping strip (3) has a metal core (4).

With respect to claim 7, Hayashi et al. disclose that the connection (Fig. 3) further includes a joint sealing (32) integrated in the clamping strip (3).

With respect to claim 8-9, Hayashi et al. disclose (Fig. 3) that the clamping strip (3) capable of being designed at the same time as an outer sealing (32); and wherein the clamping strip (3) extends fully over the circumference of the edges of the sheet (11, 12).

Claims 1, 2, 5, 6, 8-11, and 14-18 are rejected under 35 U.S.C. 102(a) as being anticipated by US Patent No. 7,013,612 B2 Haddock.

With respect to claims 1 and 10, Haddock disclose a connection (Fig. 7C) of outer and inner sheets (54), each sheet (54) having an edge, wherein the edges of the sheets (54) have at least partially planar contact and can be detachably connected with one another, the connection comprising flanges (66) associated with the areas of the edges of said sheets (54) lying on top of each other that are bent in the same direction and a detachable connection of the sheets (54) by means of a screw connection (276), and a clamping strip (200) providing a detachable connection of the sheets (54) at the flanges.

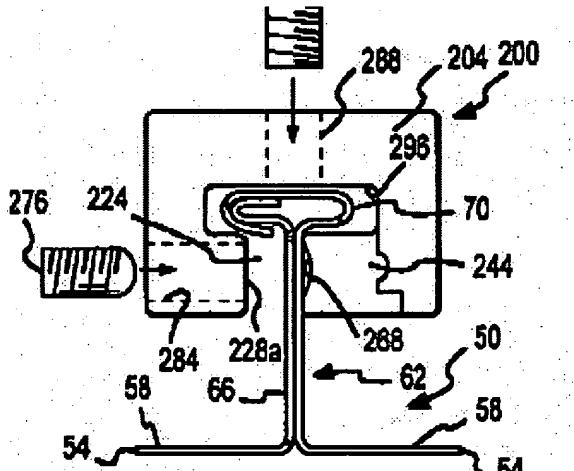


FIG.7C

With respect to claims 2 and 11, Haddock disclose (Fig. 7C) that the clamping strip (200) has an at least partly U-shaped design.

With respect to claims 5 and 6, Haddock discloses (Fig. 7C) that the clamping strip (200) and the edges (66) of the sheets (54) are connected to one another by means of the screw connection (276).

With respect to claims 8 and 9, Haddock disclose (Fig. 7C) that the clamping strip (200) capable of being designed at the same time as a cover strip (not shown); and wherein the clamping strip (200) extends fully over the circumference of the edges of the sheet (54).

With respect to claim 14, it should be noted that such claim depends from claim 10 which sets forth either a screw connection or a clipping device. Merely further defining a relationship of the clipping device does not alter the previously recited option of choice as claim 12 now requires the choice be between a screw connection and a specifically arranged clipping device. Thus, claim 14 remains met by Haddock because of the disclosed screw connection. Nevertheless, insert (244) of Haddock would constitute the otherwise recited and structurally undefined clipping device has an opposite end positively locked on a side of the flanges (66) to clamp the flanges together.

With respect to claim 15, Haddock discloses a connection (Fig. 7C) further having a joint sealing (constituted by the concave portion of the inner sidewall of the clamp 200) connected together with the clamping strip (200) and the edges (66) of the sheets (54) to be connected by means of the screw (276).

With respect to claim 16, Haddock discloses (Fig. 7C) that a joint sealing (constituted by the concave portion of the inner sidewall of the clamp 200) integrated in the clamping strip (200).

With respect to claims 17 and 18, Haddock discloses (Fig. 7C) that the clamping strip (200) capable of being designed at the same time as a cover strip (not shown); and wherein the clamping strip (200) extends fully over the circumference of the edges of the sheet (54).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haddock as applied to claims 1, 2, 5, 6, 8-11, and 14-18 above, and further in view of Hayashi et al.

With respect to claims 12 and 13, Haddock discloses the claimed invention except that the clamping strip consists of plastic; and has a metal core. Hayashi et al. teach (Fig. 3, column 3, lines 8-12) that the clamping strip consists of a plastic; and has a metal core (4). It would have been obvious to one of ordinary skill in the art at the time of invention was made to form the clamping strip of Haddock from plastic with a metal core as taught by Hayashi et al. in order to create a light weight, a rust proof, and reinforced clamping strip.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The prior art of record US Patent No. 5,086,589 Dibenedetto; US Patent no. 5,001,867 Dupuy; and US Patent No. 6,557,304 B2 Ellis; are cited to show a connection between two sheets by providing a clamping means.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nahid Amiri whose telephone number is (571) 272-8113. The examiner can normally be reached on 8:30-5:30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571) 272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

no
Nahid Amiri
Examiner
Art Unit 3679
July 12, 2006



DANIEL P. STODOLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600